

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JESSE JOHN WENDELSDORF,

Defendant.

No. CR04-4111-MWB

**ORDER ON MOTION FOR JURY
QUESTIONNAIRE**

The defendant has filed a motion (Doc. No. 23) asking for leave to submit a questionnaire to prospective jurors to determine the effects of pretrial publicity. The Government does not object to such a questionnaire. The court finds a questionnaire is warranted in this case, and therefore **grants** the motion. By **June 13, 2005**, the parties are directed to submit a jointly-proposed juror questionnaire for the court's consideration.

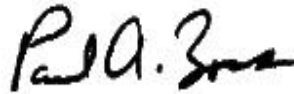
In addition, the court finds that residents of certain counties should be excluded from the pool of prospective jurors. *See, e.g., United States v. Blom*, 242 F.3d 779, 804-05 (8th Cir. 2001) (noting exclusion of persons who live within appropriate areas is one precaution a court can take to assure the selection of an impartial, unbiased jury). In this case, the court orders the exclusion from the jury pool of residents of Dickinson County, where the events took place that led to the charges of which Wendelsdorf was acquitted in 2000; Buena Vista County, where Wendelsdorf was tried; and Kossuth County, where the victim's mother was tried.

Because of the necessity for the jury questionnaire to be finalized and sent out, for responses to be returned to the court, and for the court and the parties to evaluate the responses for purposes of Wendelsdorf's motion to transfer, it is apparent the case will

not be ready for trial on the currently-scheduled date of July 5, 2005. Accordingly, the parties are directed to appear for the court's regularly-scheduled pretrial status conference on June 3, 2005, at 3:00 p.m., with their calendars, prepared to discuss scheduling a date certain for the trial, which the parties have stated likely will last for two weeks.

IT IS SO ORDERED.

DATED this 27th day of May, 2005.

A handwritten signature in black ink, appearing to read "Paul A. Zoss", is written over a horizontal line.

PAUL A. ZOSS

MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT